

New and Recent TRI Reporting Requirements **Reporting Year (RY) 2013 (Reporting Deadline - July 1, 2014)**

Mandatory Electronic Reporting of TRI data

- On August 27, 2013, EPA finalized the Electronic Reporting of Toxics Release Inventory Data rule, which requires facilities to submit non-trade secret TRI reporting forms electronically to EPA (78 FR 52860). Effective January 21, 2014, reports for Reporting Year (RY) 2013 (due July 1, 2014) and beyond must be submitted to EPA electronically using TRI-MEweb. Reports that are not submitted electronically using TRI-MEweb will not be processed as acceptable submissions. However, facilities submitting TRI forms containing trade secrets must still submit their reports to EPA on paper, not via TRI-MEweb. This electronic reporting requirement includes late submissions for prior reporting years, revisions, and withdrawals.
- Due to the Electronic Reporting of Toxics Release Inventory Data rulemaking mentioned above, facilities may no longer submit, revise, or withdraw TRI reporting forms for reporting years prior to RY 1991.
- Facilities may now submit, revise, and/or withdraw TRI reporting forms for RYs 1991 – 2004.

New NAICS codes in Reporting Year 2013

- A direct final rule was published in the Federal Register on July 18, 2013, (78 FR 42875) to adopt 2012 NAICS codes for Reporting Year 2013, with forms due July 1, 2014. Table I lists all NAICS industries that are covered under EPCRA 313 and their corresponding codes.

New TRI Chemical (o-nitrotoluene)

- A direct final rule was published on November 7, 2013, (78 FR 66848) to add o-nitrotoluene to the list of chemicals required for TRI reporting. Facilities that manufacture, process, or otherwise use o-nitrotoluene should begin collecting release information on the chemical for Reporting Year 2014, with forms due July 1, 2015, if TRI chemical use and other thresholds are met. When calculating waste management quantities reported in Section 8 of the Form R, facilities are instructed to use their best readily-available information to determine the final disposition of any toxic chemical sent to publicly-owned treatment works (POTWs). For this reason, TRI-MEweb provides a worksheet in which users distribute their POTW transfer quantities between Section 8.1 (off-site disposal and other releases) and Section 8.7 (off-site treatment) by either entering percentages or using the default values.

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New Removal and Destruction Rates for POTWs

- New for Reporting Year 2014, Table VI of the Reporting Forms and Instructions provides removal and destruction rates for toxic chemicals sent to POTWs based on experimental and estimated data from EPA's Risk-Screening Environmental Indicators (RSEI) model. These percentages are automatically pre-loaded into TRI-MEweb's worksheet for POTWs, but you may override them if you have better information on the final disposition of the chemical at the specific POTW. Aside from the new default percentages, there is no change to the functionality of this worksheet.

Reminder of Indian Country Reporting

- Facilities located within Indian country boundaries: Starting with Reporting Year 2012, any facility located within Indian country boundaries is required to submit a copy of their TRI forms to the designated point of contact for the appropriate Indian tribe, and not to the state. TRI-MEweb will assist you in preparing your forms to be mailed to tribal officials. Please note that the reporting facility is responsible for knowing if they must report to a particular tribe in Indian country.

For more information about TRI reporting requirements, please read the Reporting Forms and Instructions manual for Reporting Year 2013 that is available for download at <http://www2.epa.gov/toxics-release-inventory-tri-program/tri-reporting-forms-and-instructions>.